

July 30, 2013

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

ROBERT E. AUFULDISH, PRESIDENT
JUDY MORAN, COMMISSIONER
DANIEL P. TROY, COMMISSIONER
AMY ELSZASZ, CLERK

JASON W. BOYD, ADMINISTRATOR
LEGAL COUNSEL
JOEL DIMARE, BUDGET DIRECTOR
NEWS MEDIA

(Tape 2013-0730)

CALL TO ORDER: Commissioner Aufuldish called the meeting to order at 2:00 pm, July 30, 2013.

ROLL CALL: Upon the roll being called all were present.

APPROVAL OF MINUTES: Upon a motion by Commissioner Troy, seconded by Commissioner Moran, the minutes of the meetings of June 4, 11, 20, 2013 and the minutes of the meetings of July 11 and 16, 2013 were approved as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

Commissioners Troy thanked Clerk Amy Elszasz and Assistant Clerk Jennifer Bell for catching up on the minutes.

OPEN TO THE PUBLIC: Commissioner Aufuldish asked if anyone in the audience wished to address the Board and he requested an update on the situation from the heavy rains that hit Lake County on July 20, 2013. Many organizations responded such as the Red Cross.

Lake County Emergency Management Agency Director, Mr. Larry Greene explained that the EMA was involved with coordinating local officials. Tomorrow the OEMA will go back over damage assessment over the structural damage. This is still considered a local emergency and damage assessment is being done with a focus on structural damage. The data will be validated however he thinks that the County is near the threshold to receive SBA low-interest loans. He asked local municipalities to coordinate and document severely damaged homes and businesses. Severely damaged means 40% of the damage is uninsured. He Engineer's Department sent out crews to assist residents.

Mr. Ted Galuschik of the County Engineer's Office received a request for assistance from the affected areas and determine how much assistance they can give based on the availability of equipment and personnel.

Commissioner Troy replied there were several conference calls and the Engineer's Office has not been present at two of them. He believes they should be a lead agency. He knows notices were sent out to all requested participants and we need to make sure we are all on the same page in the future.

Commissioner Aufuldish stated that a lot of storm water got into the sanitary sewers and the water overflowed and had no where to go and ended up in resident's basements.

Utility Department Executive Director, Rick Martin, explained that six inches of rain fell in four hours at the Mentor Plant on the night of Friday, July 20, 2013 and early Saturday morning. Customers began calling in about flooded basements and there are about 100 recorded. Sanitary manholes were under two feet of water in some places and it made it difficult for crews to work on them. It took an hour and a half just to get some of the manholes. The Bellflower area in Mentor was one of the most problematic. He explained that the sanitary sewers were not designed to transport a lot of water. That is the job of the storm sewers. The affected areas include Concord Township, Fairport Harbor, Grand River, and Painesville Township. The Lake County Solid Waste District extended their hours to assist residents at the landfill. Rick helped unload resident's vehicles and they appreciated that the fees were waived.

Commissioner Troy explained that extended hours at the Solid Waste District will continue through the end of the week, as people are still cleaning up their basements. This should be reassessed to determine if it should be extended until next week.

Mr. Martin reported that County Administrator Mr. Jason Boyd has been helpful with the Mayors and Managers in the recovery process.

Commissioner Troy stated that the County did what needed to be done at the onset of this event; we activated Reverse 911 and altered the landfill policy fees and hours to assist people with their debris. The EMA recruited 211, RSVP, and the Red Cross to assist in the recovery, and to assess damages in order to receive a disaster declaration. He suggested that further long-range discussion must continue because there are four to five different sewer systems in Lake County that were compromised after receiving six inches of water in four hours. As stated before, the sewer systems were built to handle a certain amount of water and we received much more than they could handle. He requested a summit to discuss Lake County's sewer systems. He explained that we need to be frank with people because it would cost billions of dollars to upgrade the systems for large rain events. There are also some old hybrid systems that pose problems. No one wants to restore their basements and then have to go through this again.

Mr. Martin stated that there are three different issues related to the heavy rains; public sanitary sewers, storm water and private homeowner service lines. Lines can be maintained using a smoke test. He has seen cases where the smoke comes up in the middle of resident's lawns. They will keep dialog open. He explained that plastic liners are pushed down when there is a lot of water thereby rendering them ineffective.

Commissioner Moran stated that letters went out to Mentor residents a few weeks ago about dye testing and it was mentioned that one response letter was received back. There is also an online survey requesting that a dye test be complete. He explained that many residents do not know where the sanitary goes. Some areas also have a combined storm and sanitary system.

Commissioner Troy replied that in order to correct the problem of having a rain water infiltrated system we need the cooperation of municipalities by changing their ordinances. Even if the County provides the sanitary sewer we cannot mandate certain private property changes. Some communities have mandated dye testing before anyone can transfer their property.

Commissioner Moran asked what would a person do to maintain their lines?

Mr. Martin answered that the County video's the lines but not the laterals on private property. There are private

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companies that can jet or scour the lines and complete an above-the-ground assessment.

Commissioner Aufuldish stated that it is up to municipalities to be sure the street-to-house connection is correct when ownership of a house is transferred. He stated that it is amazing to see how much water comes off of a roof.

Mr. Martin agreed and stated that ten houses on an 8-inch line will overwhelm the sewer pipe.

Mr. Aufuldish replied that the County can make suggestions but the County cannot enforce. It is up to local city elected officials to adopt legislation to alleviate some of these problems.

Commissioner Troy replied that there are many different sewer systems in the County, and there is a problem with all of the systems. He suggested once the recovery process is finished, there should be a cross-County discussion about what we can do to collectively minimize the impact of heavy rains and make some progress. The County received Issue 2 funds for the project in the Bellflower area. One idea is to have one of the firms that represent the municipalities create a report on the costs and what can be done to alleviate problems associated with heavy rains. In 2006, the rains fell for 16 hours and it was much worse.

Mr. Martin informed that dialog is ongoing with the Engineer's Department. He explained that the sanitary sewer business is based on averages. The Engineer's are different, they are looking for an event to see how the pipes handle water.

Stormwater Department Director Tim Miller explained the storm sewers are built for a one, two or five year storm because it is very rare when a 100 year storm event occurs. It is not cost effective to build a sewer system for a 100 year storm. He stated that the Service Director has been busy picking up flood debris. They have met with different municipalities and reviewed their infrastructure. They are still working too assess damage and he reported that more detailed report will be available in a few weeks.

Mr. Boyd stated that the EMA is looking for significantly damaged homes and businesses with hope that this information will put Lake County into another level for State and Federal assistance. He thanked the Citizen's Corps, Red Cross, 211 and Congressman Joyce for their assistance and cooperation during the event.

Commissioner Troy explained that when the 2006 flood occurred, FEMA was on their best behavior after Hurricane Katrina. Also, there were different regulations and more damage. He asked community leaders to find out if there was any structural damage in their jurisdictions and report the information to the County. He stated that many residents have much of their belongings on the tree lawns and to date Lake County has not been declared a disaster area by the State or Federal governments. The County is working to try to obtain funding to reimburse municipalities for the money spent on overtime during the recovery process. Congressman Joyce and Representative Rogers are assisting, and we are doing all that we can and we are looking down the road at long-range plans.

RESOLUTIONS:

1. **RESOLUTION TO ADVERTISE FOR BIDS FOR SALT AND CINDERS 2013 FOR THE LAKE COUNTY ENGINEER'S ROAD DEPARTMENT (BID OPENING: August 21, 2013) (20130730\E01) (E-2)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

2. **RESOLUTION AUTHORIZING THE LAKE COUNTY ENGINEER TO MAKE APPLICATION WITH THE OHIO PUBLIC WORKS COMMISSION FOR EMERGENCY FUNDING FOR REPAIRS OF THE HERMITAGE ROAD CULVERT IN CONCORD AND OTHER TOWNSHIP STORM RELATED LOCATIONS AND TO EXECUTE AN OPWC AGREEMENT FUNDING EMERGENCY REPAIRS TO ALLEVIATE THE THREAT TO PUBLIC SAFETY (20130730\E02) (E-3)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Commissioner Aufuldish asked more about the cost of this project.

Mr. Ted Galuschik explained that this project is I-90 and Williams Road, which is just west of Cascade. The road is still closed and they are asking for \$48,000.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

3. **RESOLUTION HIRING WILLIAM H. HILL TO THE POSITION OF PART-TIME INSPECTOR IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE AUGUST 1, 2013 (20130730\U01) (UT-3)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

4. **RESOLUTION RE-APPOINTING STEPHEN J. ADAMS, RICHARD J. MORSE, AND RUSSELL D. SCHAEGLICH TO THE LAKE COUNTY PLANNING COMMISSION FOR TERMS EXPIRING AUGUST 14, 2016 (20130730\C01) (B-34)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

5. **RESOLUTION ACCEPTING THE RETIREMENT RESIGNATION OF KENNETH A. MATTY FROM HIS PART-TIME POSITION OF TRAINING COORDINATOR FOR HAZARDOUS MATERIAL TRAINING TO THE LAKE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC), EFFECTIVE JULY 31, 2013 (20130730\C02) (UT-3)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

6. **RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,658,735.05 (20130730\BC01) (C-4)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

7. **RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$877,049.12 (20130730\BC02) (C-17)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with

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the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

8. **RESOLUTION INCREASING AND DECREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20130730\BC03) (C-111)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

9. **RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20130730\BC04) (C-111)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

10. **RESOLUTION CONGRATULATING SCOTT HAGGERTY ON ATTAINING THE PRESTIGIOUS RANK OF EAGLE SCOUT AWARDED BY THE NATIONAL BOY SCOUTS OF AMERICA (20130730\F01) (C-126)**

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES-none

STORMWATER-none

JOB AND FAMILY SERVICES-none

COUNTY ADMINISTRATOR -none

DIRECTOR OF ADMINISTRATIVE SERVICES- none

FINANCE- none

CLERK- none

LEGAL- none

OLD BUSINESS:

NEW BUSINESS: Commissioner Troy stated that he recently attended the National Association of County Commissioners Conference held in a drought area ironically, the main focus was determining County Government's relationship with the Federal Government including the tax deductability of municipal bond financing. He stated that he moderated a panel on that subject. The new President is Commissioner Linda Langston of Linn County, Iowa. Ms. Langston's theme is emphasizing the recovery and resiliency of counties after disasters and being prepared to deal with disasters. Lake County is a good example of this because of our EMA and practice in conducting a drill every two years.. The County has all the communities, the Health Department, 211, RSVP and many other agencies ready to be activated if needed.

Commissioner Aufuldish thanked Mr. Greene for his due diligence and hard work during this storm event.

PUBLIC COMMENT: Mr. John Muzik, Coventry Road in Painesville Township, stated that he heard about the Laketrans levy and he asked of the 230,000 people residing in Lake County how many people live at or below the poverty level? How many people receive some type of assistance?

Mr. Boyd answered that the census will have that information.

Commissioner Aufuldish explained of the 88 counties in the State of Ohio, Lake County is eleventh per capita income.

Commissioner Troy answered that one of the State of Ohio Departments puts out this type of information. Lake County fares well as far as the percentage of people living in poverty, however, that percentage has been increasing.

Mr. Muzik stated that many people need some type of assistance and costs keep increasing. He asked what is the health of Lake County? He is very concerned about the healthcare tax. It was noted that people who receive Medicare and Social Security are not included in the same group as those who receive Medicaid.

Mr. Tom Griffis stated that he owns a condominium in Fairport Harbor and the developer of his subdivision turned over the deed to another person. This new person wants to build rentable apartment units instead of condominiums and discontinue the condominium association. He asked if there were any mandates prohibiting this from happening?

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Commissioner Troy thought that he should contact Fairport Harbor to determine what their ordinances say about this situation.

Mr. O'Donnell recommended that he first review the homeowners association rules then the Fairport Harbor regulations.

Mr. Griffis stated that the homeowners association is responsible for the common areas, streets, street lights and sewers and has been since 2011.

Mr. O'Donnell replied that he would need more information.

Commissioner Troy stated that Mayor Manross will be contacted to see what can be done.

Ms. Becky Lynch of Mentor stated that she attended the Geauga County Commissioner's Meeting this morning and found out that Geauga County has a huge problem with heroin. They have asked for a \$600,000 grant to help them. The Chardon Police Chief mentioned that they want to be more like the Lake County Narcotics Agency because they have a handle on what is going on in their County.

Commissioner Aufuldish replied that the Lake County Narcotics Agency is paid out of a special levy and Commissioner Moran is the Commissioner's representative to the Board.

Commissioner Morgan, who is a member of the Lake County Narcotics Board, stated that Lake County has its own heroin problem and Ms. Lynch should attend a Lake County Opiate Task Force Meeting with several governmental officials, judges and police chiefs. They do meet regularly and you will find out where they are finding the issues.

EXECUTIVE SESSION:

- Personnel - compensation
- Real Estate

EXECUTIVE SESSION: On a motion of Commissioner Moran, seconded by Commissioner Troy, the Board convened an Executive Session at 2:53 pm to discuss a personnel: employee issue, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 2:53 pm.
The Lake County Board of Commissioners reconvened Executive Session at 3:00 pm.

On a motion of Commissioner Moran seconded by Commissioner Troy, the Board terminated the Executive Session at 3:47 pm, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

ADJOURN: On a motion of Commissioner Moran, seconded by Commissioner Troy, the Board adjourned the meeting at 3:47 pm, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

Minutes approved this eighth day of August, 2013.

BOARD OF LAKE COUNTY COMMISSIONERS

ROBERT E. AUFULDISH, PRESIDENT

J U D Y M O R A N ,
COMMISSIONER

DANIEL P. TROY, COMMISSIONER

AMY ELSZASZ, CLERK